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Attorneys for Plaintiff and Counterdefendant
WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS and Counterdefendant
ST. PAUL FIRE AND MARINE INSURANCE
COMPANY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA for the Use and
Benefit of WEBCOR CONSTRUCTION, INC.,
etc.,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture, et al.,

Defendants.

AND RELATED COUNTERCLAIMS AND
THIRD PARTY CLAIMS.

CASE NO.: 3:07-CV-02564-CRB

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE PURSUANT TO
SETTLEMENT AGREEMENT**

Before: Hon. Charles R. Breyer

Pursuant to Rule 41, Federal Rules of Civil Procedure, the parties listed below, through counsel, hereby stipulate, pursuant to their written Settlement Agreement, that the following actions described below be dismissed in their entirety, with prejudice, parties, and each of them, to bear their own fees and costs. This stipulated dismissal is in addition to the partial dismissals previously entered by the Court in its February 23, 2011 Order on Stipulation of Dismissals and Partial Dismissals Pursuant to Settlement Agreement (Document 275).

The following action in its entirety: UNITED STATES OF AMERICA for the use and benefit of WEBCOR CONSTRUCTION, INC. v. DICK/MORGANTI, et al. (Case No. 3:07-CV-02564-CRB)

1 (“Webcor Action”), including the Complaint of WEBCOR CONSTRUCTION, INC.; the Counterclaim
2 of DICK/MORGANTI against WEBCOR CONSTRUCTION, INC. and ST. PAUL FIRE AND
3 MARINE INSURANCE COMPANY; and the Third Party Complaint and Counterclaim by
4 AMERICAN CASUALTY COMPANY OF READING, PA and NATIONAL UNION FIRE
5 INSURANCE COMPANY OF PITTSBURGH, PA against WEBCOR CONSTRUCTION, INC.
6 **IT IS SO STIPULATED.**

7
8 Dated: June 10, 2011

BOWLES & VERNA LLP

9
10 By: /s/ Michael P. Connolly
11 RICHARD T. BOWLES
12 KENNETH G. JONES
13 MICHAEL P. CONNOLLY
14 Attorneys for
WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS and ST. PAUL
FIRE AND MARINE INSURANCE
COMPANY

15 Dated: June 10, 2011

RALLS & NIECE LLP

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17
18 By: /s/ John W. Ralls
19 JOHN W. RALLS
20 Attorneys for
DICK/MORGANTI, DICK
CORPORATION, THE MORGANTI
GROUP

21
22 Dated: June 10, 2011

SEDGWICK, DETERT, MORAN & ARNOLD LLP

23
24 By: /s/ Gregg N. Dulik
25 GREGG N. DULIK
26 Attorneys for
27 AMERICAN CASUALTY COMPANY
OF READING, PA, and NATIONAL
UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 15, 2011

